

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 842 OF 2006
IN
NOTICE OF MOTION NO. 3755 OF 2004
IN
SUIT NO. 17 OF 2006
IN
T.&I.J. PETITION NO. 21 OF 2005

Bhupendra Ratilal Kara

] .. Appellant
(Ori.Petitioner)

Versus

1. Chandrakant H. Sodha & 6 ors.

] .. Respondents
(Ori.Respondents)

Mr. A.B. Shrikande for the appellant.

Mr. Arif Y. Bookwala, senior counsel with Ms. Bhavana Gada and Ms. Manik Joshi i/b M/s. M & M Legal Venture for the respondent No.2.

Ms. Bindi Desai i/b M/s. Shah & Sanghvi for respondents No.3 to 5.

Mr. Madhav Jamdar for respondent No.6.

**CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.**

DATED: 28TH NOVEMBER, 2006

P.C. :

. Mr. Arif Y. Bookwala, the senior counsel for the respondent No.2 informs us that the subject building has already been taken over by MHADA for repairs etc. Obviously, in this view of the matter, the prayer made

in the Notice of Motion did not survive. The learned Motion Judge cannot be said to have erred in disposing of the Notice of Motion in this backdrop.

2. Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]